

*STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION*

AGENDA

*Wednesday, May 14, 2003
9:00 a.m.*

<p>Water Quality Control Board Regional Board Meeting Room 9174 Sky Park Court San Diego, California</p>

The Regional Board requests that all lengthy comments be submitted in writing in advance of the meeting date. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments should be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 30, 2003, and should indicate the agenda item to which it is applicable. If the submitted written material is more than 5 pages or contains foldouts, color graphics, maps, etc., 20 copies must be submitted for distribution to the Regional Board members and staff. Written material submitted after 5:00 P.M. on Wednesday, May 7, 2003 will not be provided to the Regional Board members and will not be considered by the Regional Board. *PLEASE NOTE THAT SOME ITEMS ON THE AGENDA MAY HAVE BEEN PREVIOUSLY NOTICED WITH EARLIER DEADLINES FOR SUBMITTING WRITTEN COMMENTS. IN THOSE CASES THE EARLIER DEADLINES APPLY.*

Comments on agenda items will be accepted by E-mail subject to the same conditions set forth for other written submissions as long as the total submittal (including attachments) does not exceed five printed pages in length. E-mail should be submitted to: rbagenda@rb9.swrcb.ca.gov. Write the word "Agenda" in the subject line.

Pursuant to Title 23, California Code of Regulations, Section 648.2, the Regional Board may refuse to admit written testimony into evidence if it is not submitted to the Regional Board in a timely manner, unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would create an unreasonable hardship.

NOTE C, attached to this Notice, contains a description of the hearing procedures that will be followed by the Regional Board. Hearings before the Regional Board are normally conducted using procedures that do not include cross-examination. Parties requesting use of more formal procedures must do so in accord with the directions in NOTE C. Any such request, together with supporting material, must be received in the Regional Board's office no later than 5:00 P.M. on Wednesday, April 30, 2003.

Except for items designated as time certain, there are no set times for agenda items. Items may be taken out of

order at the discretion of the Chairman.

1. Roll Call and Introductions
2. PUBLIC FORUM: Any person may address the Regional Board at this time regarding any matter within the jurisdiction of the Board which is not on the agenda. Submission of information in writing is encouraged. **Presentations will be limited to three minutes.**
3. Minutes of Board Meeting of April 9, 2003.
4. Chairman's, Board Members', State Board liaison's and Executive Officer's Reports: These items are for Board discussion only. No public testimony will be allowed, and the Board will take no formal action.

Consent Calendar: Items 5 through 8 are considered non-controversial issues. (NOTE: If there is public interest, concern or discussion regarding any consent calendar item or a request for a public hearing, then the item(s) will be removed from the consent calendar and considered after all other agenda items have been completed)

5. Referral to Attorney General: A Resolution directing the Executive Officer to request the Attorney General of the State of California to petition the appropriate court to collect \$3,000 from Castillo & Sons for failure to pay Regional Board Order No. R9-2002-0284, Administrative Assessment of Civil Liability Against Castillo & Sons, A&E Auto Recycling for Failure to Pay Annual Fees. (Tentative Resolution No. R9-2003-0164) (*Vicente Rodriguez*)
6. Modification of Waste Discharge Requirements: All Seasons RV Park, LLC and Mr. Larry Tardie; All Seasons RV Park, San Diego County (change in owner and facility name) (tentative Addendum No. 1 to Order No. 94-05) (*Eric Becker*)
7. Rescission of Waste Discharge Requirements for Ms. Jean Somers, Channel Cats RV Park, Riverside County (tentative Order No. R9-2003-0120 rescinding Order No. 96-08) (*Eric Becker*)
8. NPDES Permit Revision: Waste Discharge Requirements for U.S. Naval Base Point Loma, San Diego County (tentative Addendum No. 1 to Order No. R9-2002-0002, NPDES Permit No. CA0109363) (*Paul Richter*)

Remainder of the Agenda (Non-Consent Items):

9. Status Report: U.S. – Mexico Border Area Pollution Tracking Projects (*David Hanson*)
 - a. Ocean Imaging, Inc. – A satellite and aerial imaging system jointly funded by the RWQCB, the City of San Diego, and the United States International Boundary and Water Commission.
 - b. San Diego State University – Tijuana River watershed water quality monitoring and modeling project funded by the RWQCB. Additionally, SDSU will present a 3 dimensional visualization of water quality data in the south bay.
 - c. Scripps Institute of Oceanography – The San Diego Coastal Ocean Observing System, funded under the California Clean Beaches Initiative, merges a number of oceanographic and environmental sensing technologies.

10. NPDES Permit: Waste Discharge Requirements for U.S. Navy, Naval Base Coronado, San Diego County: an NPDES permit regulating industrial storm water and point source discharges of wastes to San Diego Bay and the Ocean from various activities including ship repair, pier boom cleaning, and manhole dewatering (tentative Order No. R9-2003-0008, NPDES Permit No. CA0109185) (*Paul Richter*)
11. PUBLIC HEARING: A public hearing may be held regarding the issuance of Cleanup and Abatement Order No. R9-2003-0158 to Pioneer Builders Inc. for alleged violations of the California Water Code at a residential development construction site. (Tentative Tract Map No. 16197) located on Camino Capistrano in the City of Dana Point (*Jeremy Haas*)
12. Waste Discharge Requirements Update: Production and Purveyance of Recycled Water, City of San Clemente Water Reclamation Plant, Orange County (tentative Order No. R9-2003-0123) (*Bryan Ott*)
13. Status Report: U.S. Coast Guard and U.S. Navy Report on Fuel/Oil Spills in San Diego Bay (*John Robertus*)
14. Status Report: Implementation of San Diego County MS4 Storm Water Permit, continued from the April 9, 2003 Board Meeting (*John Robertus*)
15. *Executive Session* - Discussion of Ongoing Litigation
The Regional Board may meet in closed session to discuss ongoing litigation for the following cases:

People of the State of California Ex Rel. the Regional Water Quality Control Board, San Diego Region v. Robert Ortega, an individual in his capacity as Acting Commissioner of the International Boundary and Water Commission, United States Section, et al., United States District Court, Southern District of California, Case No. 01-CV-027BTM(JFS); violation of effluent limits in waste discharge requirements for the International Wastewater Treatment Plant contained in Order No. 96-50 (NPDES No. CA0108928) and of Cease and Desist Order No. 96-52; Referral Order No. 99-61; and the related “Surfrider” case:

Surfrider Foundation, San Diego Chapter v. Robert Ortega, et al., Case No. 99-CV-2441-BTM(JFS)

Rakhra Groups, Inc., v. San Diego Regional Water Quality Control Board Superior Court of California, San Diego County; Case No. GIC 776251 and Case No. GIC 786516

San Diego Baykeeper and Surfrider Foundation, San Diego Chapter v. City of San Diego; U.S. District Court, Southern District of California; Case No. 01-CV-0550-B (POR)

16. *Executive Session* - Consideration of Initiation of Litigation
The Regional Board may meet in closed session to consider initiating criminal prosecution against persons who are alleged to have violated the Porter-Cologne Water Quality Control or the federal Clean Water Act.

17. *Executive Session* - Discussion of Pending Litigation
The Regional Board may meet in closed session to discuss pending litigation.
18. *Executive Session* - Personnel
The Regional Board may meet in closed session to consider personnel matters involving exempt employees [Authorized under Government Code Section 11126(a)]
19. Arrangements for Next Meeting and Adjournment
Wednesday, June 11, 2003 - 9:00 a.m.
Water Quality Control Board
Regional Board Meeting Room
9174 Sky Park Court
San Diego, California

Notifications

- A. On March 27, 2003, the Executive Officer issued Cleanup and Abatement Order No. R9-2003-0080, to Otay Mesa Ventures II, L.L.C. This Order requires the discharger to investigate, cleanup and abate pollution of water resources caused by past discharges of wastes at the former Omar Rendering site located at 4826 Otay Valley Road in Chula Vista. (*Brian McDaniel*)
- B. 45-day Public Notice: On June 11, 2003, the Regional Board will consider adoption of tentative Addendum No. 1 to Order 97-40: "For Closure and Post-Closure Maintenance for the Class I Waste Management Containment Cell, Omar Rendering Facility, Darling International." If adopted, the tentative addendum would update the identification of the discharger, incorporate financial assurances for post closure maintenance and monitoring, and update of requirements for maintenance of storm water conveyance and erosion controls at the waste management unit. (*Brian McDaniel*)
- C. On April 23, 2003, the Executive Officer issued Order No. R9-2003-0169, an Order rescinding Cleanup and Abatement Order No. 89-49 for Greyhound Lines, Inc. and Transportation Leasing Company, 539 First Avenue, San Diego. (*Sue Pease*)
- D. On April 10, 2003, the Executive Officer issued Addendum No. 4 to Cleanup and Abatement Order No. 99-26 to Mr. and Mrs. Ernest Moretti. The Order was issued for cleanup of petroleum hydrocarbon pollution in soil and groundwater from the Former Santa Ysabel Chevron Service Station located at 30352 Highway 78, Santa Ysabel, California (site). Addendum No. 4 requires Mr. and Mrs. Moretti to install two groundwater monitoring wells that are needed to determine off-site impacts to groundwater from the discharge of petroleum hydrocarbon wastes at the site, and to destroy four, bedrock groundwater monitoring wells that are no longer needed. (*Barry S. Pulver*)
- E. Administrative Civil Liability Complaints Issued:

On April 16, 2003, the Executive Officer issued Administrative Civil Liability Complaint No. R9-2003-0151 to Standard Pacific Homes for alleged violations of Order No. 99-08-DWQ, "State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, National Pollutant Discharge

Elimination System (NPDES) General Permit No. CAS000002, Waste Discharge Requirements (WDRS) for Discharges of Storm Water Runoff Associated with Construction Activity. Standard Pacific Homes has until May 19, 2003 to waive their right to a public hearing. If a waiver is submitted, the Regional Board will consider acceptance of the waiver at the June 11, 2003 Board meeting. If Standard Pacific Homes elects to proceed to a public hearing, the hearing will take place at the June 11, 2003 Board meeting. Public comments regarding the allegations in the Complaint will be accepted through May 19, 2003. *(Rebecca Stewart)*

On April 16, 2003, the Executive Officer issued Administrative Civil Liability Complaint No. R9-2003-0161 to Shea Homes for alleged violations of Order No. 99-08-DWQ, "State Water Resources Control Board (SWRCB) Order No. 99-08-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, Waste Discharge Requirements (WDRS) for Discharges of Storm Water Runoff Associated with Construction Activity. Shea Homes has until May 19, 2003 to waive their right to a public hearing. If a waiver is submitted, the Regional Board will consider acceptance of the waiver at the June 11, 2003 Board meeting. If Shea Homes elects to proceed to a public hearing, the hearing will take place at the June 11, 2003 Board meeting. Public comments regarding the allegations in the Complaint will be accepted through May 19, 2003. *(Vicente Rodriguez)*

On April 23 & 24, 2003, the Executive Officer issued Complaints for Administrative Assessment for Civil Liability, against the dischargers listed below for failure to pay storm water annual fees in violation of California Water Code section 13260.

	Facility name	Location	City	WDID no.
1	AAA Foreign Auto Recycling	Energy Way	Chula Vista	37S016197
2	All Truck Parts	Heritage Rd.	San Diego	37S016195
3	America Auto Wrecking	Heritage Rd.	San Diego	37S012471
4	Best Buy Company Inc	El Paseo	Mission Viejo	30S303647
5	Bestway Auto Wrecking	Heritage Rd.	San Diego	37S013933
6	Brookfield Laud Co.	Brookhollow Dr.	Santa Ana	37S300416
7	Buie Communities	El Camino Real	San Diego	33S313984
8	California Traditions Inc.	High Bluff Dr.	San Diego	37S314490
9	Control Components Inc.	Avenida Empressa	Rancho Santa Margarita	30S013854
10	Centex Homes	Redhawk Tracts	Temecula	33S316937
11	CW Clark Inc.	Valley Parkway	Escondido	37S303667
12	Famste Investment Co.	Whispering Oaks Estates	Poway	37S313543
13	JMI Realty	Riviera Del Dol	San Diego	37S3116319
14	Makena Properties	Avenida Pico Alicante	San Clemente	30S316011
15	Rancho Auto Wrecking	Heritage Rd.	San Diego	37S016874
16	Scorpio Trucks & Wreckers	Otay Valley Rd.	San Diego	37S014871
17	Stockers Motorcycles	S 31 St.	San Diego	37S013286
18	Tanaka Designs	N. Twin Oaks Rd.	San Marcos	37S014803
19	Teledyne Ryan	N. Harbor Dr	San Diego	37S004452
20	Vista Industrial Park	Vista Terrace	Lake Forest	30S317019

The Regional Board will consider these matters at its regularly scheduled meeting on June 14, 2003. If any of the dischargers elect to waive their right to hearing, the item(s) will be removed from the

June agenda to allow for a 30-day public review period.

Interested Parties may comment on these complaints during the comment period. To ensure that the Regional Board has the opportunity to fully study and consider written material, comments will be accepted in the Regional Board's office until 5:00 P.M, Friday, May 23, 2003. These documents can be viewed and copied at the Regional Board's web site at <http://www.swrcb.ca.gov/rwqcb9>. For a copy of these Complaints or more information regarding this matter please contact Vicente Rodriguiz at (858) 627-3940 or via e-mail at rodrv@rb9.swrcb.ca.gov.